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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13

Patent No.  
Application Number6,939,362 B2  
09/997,254Issued:  
Filing DateSeptember 6, 2005  
November 27, 2001

First Named Inventor

William J. Boyle et al.

Art Unit

3731

Examiner Name

Kevin T. Truong

Attorney Docket Number

ACSES-57086 (2890P)

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	2. Certificate of Correction
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	3. Check for \$100.00
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**Certificate  
NOV 21 2005  
of Correction****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	FELWIDER PATTON LLP		
Signature			
Printed name	Thomas H. Majcher		
Date	November 14, 2005	Reg. No.	31,119

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
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Typed or printed name	Thomas H. Majcher	Date	31,119

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NOV 22 2005



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

WILLIAM J. BOYLE ET AL.

Patent No.: 6,939,362 B2

Issued: September 6, 2005

Serial No: 09/997,254

Filed: November 27, 2001

For: OFFSET PROXIMAL CAGE FOR  
EMBOLIC FILTERING DEVICES

Examiner: Kevin T. Truong

Group Art Unit: 3731

Client ID/Matter No: ACSES 57086 (2890P)

November 14, 2005  
Los Angeles, California 90045

REQUEST FOR CERTIFICATE OF CORRECTION

Certificate of Corrections Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above-identified patent has been found to have the errors set forth in the enclosed Certificate of Correction. It is requested that this Certificate of Correction be issued and returned to us. Since these errors occurred in both the final printing phase of the patent and in the final application, a check in the amount of \$100.00 is enclosed to cover the necessary fees. Should the Office determine that additional fees are needed, please charge Deposit Account No. 06-2425.

The errors are verifiable in the patent application file as follows:

**ERROR**

**VERIFICATION**

Column 4, line 11, delete "flouroscopy" and insert --fluoroscopy--.

Applicant error.

Column 8, line 6, delete "device is used" and insert --device used--.

Applicant error.

Column 11, line 41, delete "possible" and insert --possibly--.

Applicant error.

Column 13, line 49, delete "to create to" and insert --to create--.

Applicant error.

Column 14, line 7, delete "de ice" and insert --device--.

Amendment After Final dated February 23, 2004. See Attachment A.

Column 16, line 17, delete "elongated member an" and insert --elongated member and--.

Amendment After Final dated February 23, 2004. See Attachment A.

Column 16, line 39, delete "elongated member an" and insert --elongated member and--.

Amendment After Final dated February 23, 2004. See Attachment A.

Column 16, line 43, delete "alone" and insert --along--.

Amendment After Final dated February 23, 2004. See Attachment A.

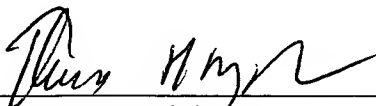
These errors occurred in good faith and correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. It is requested that a Certificate of Correction be issued and returned to us.

Attached hereto, in duplicate, is Form PTO-1050, with at least one copy being suitable for printing.

A duplicate of this document is attached.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:   
Thomas H. Majcher  
Registration No. 31,119

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Los Angeles, CA 90045  
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Customer No. 24201

106720.1

IN THE CLAIMS:

The listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A cage for an embolic filtering device used to filter embolic particles from a body vessel, comprising:

a proximal strut assembly connected to a distal strut assembly which together extend along a longitudinal axis and are both movable between an unexpanded position and an expanded position, the distal strut assembly having an inlet opening which expands and [conforms to the wall of the body vessel] forms an outer periphery of the cage when placed in the expanded position; wherein the proximal strut assembly is adapted to extend substantially along the [wall of the body vessel] outer periphery in a parallel relationship with the longitudinal axis when placed in the expanded position and the proximal strut assembly is adapted to be rotatably attached to an elongated member.

2. (Canceled)

3. (Canceled)

a filtering assembly attached to the elongated member and movable between an unexpanded position and an expanded position, the filtering assembly including an expandable cage and a filter member attached to the expandable cage, the expandable cage extending along a longitudinal axis and including a proximal strut assembly connected to a distal strut assembly, the proximal strut assembly being made from a different material than the distal strut assembly, the filter member being attached to the distal strut assembly, wherein the distal strut assembly has an inlet opening which expands to form an outer periphery of the cage and conforms to the wall of the body vessel to allow embolic particles to enter the filter member and the proximal strut assembly is adapted to extend substantially along the [wall of the body vessel] outer periphery in a parallel relationship with the longitudinal axis when placed in the expanded position.

28. (Currently Amended) An embolic filtering device used to filter embolic particles from a body vessel, comprising:

an elongated member;

a filtering assembly attached to the elongated member and movable between an unexpanded position and an expanded position, the filtering assembly including an expandable cage and a filter member attached to the expandable cage, the expandable cage extending along a longitudinal axis and including a proximal strut

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 6,939,362 B2

APPLICATION NO.: 09/997,254

ISSUE DATE : September 6, 2005

INVENTOR(S) : William J. Boyle et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 4,

Line 11, delete "flouroscopy" and insert --fluoroscopy--.

Column 8,

Line 6, delete "device is used" and insert --device used--.

Column 11,

Line 41, delete "possible" and insert --possibly--.

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Column 14,

Line 7, delete "de ice" and insert --device--.

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Line 39, delete "elongated member an" and insert --elongated member and--.

Line 43, delete "alone" and insert --along--.

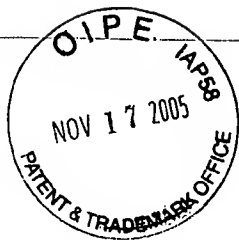
MAILING ADDRESS OF SENDER:

**Thomas H. Majcher  
Fulwider Patton Lee & Utecht LLP  
6060 Center Drive, 10<sup>th</sup> Floor  
Los Angeles, CA 90045**

This collection of information is required by 37 CFR 1.322 and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief of Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

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**NOV 22 2005**



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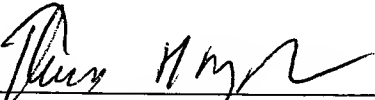
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INVENTOR(S) : William J. Boyle et al.

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